



Legislation Details (With Text)

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On agenda: 9/25/2018 **Final action:**
Title: Consideration of Contract Change Order No. 1 for Mockingbird Lane at Robinson Creek Bridge Replacement Project, Federal Project No. BRLO-5914(105); Bid No. 18-01
Sponsors: Public Works
Indexes:
Code sections:
Attachments: 1. CCO#1

Date	Ver.	Action By	Action	Result
9/25/2018	1	BOARD OF SUPERVISORS	approved	Pass

MEMORANDUM

TO: Board of Supervisors
FROM: Scott De Leon, Public Works Director
DATE: September 25, 2018
SUBJECT: Consideration of Contract Change Order No. 1 for Mockingbird Lane at Robinson Creek Bridge Replacement Project, Federal Project No. BRLO-5914(105); Bid No. 18-01

EXECUTIVE SUMMARY:

Attached for the Board's review and approval is Contract Change Order (CCO) 1 for the subject project.

Paint on the existing bridge railing was found to contain lead and other heavy metals requiring that a Lead Compliance Plan be prepared, per contract specifications, to handle, store, transport and dispose of debris produced when the existing paint is disturbed.

Biological monitoring survey prior to the demolition of existing bridge led to the discovery of an active pacific-slope flycatcher (*Empidonax difficilis*) nest, under the bridge, containing two (2) chicks. Consultation with the California Department of Fish & Wildlife (CDFW), as required by the Streambed Alteration Agreement, resulted in establishment of a 100-foot non-disturbance buffer zone around the nest where no construction activity would be permitted until the chicks had fledged. As a result, all construction activities were halted effective July 11, 2018.

On July 25, 2018, a subsequent biological monitoring survey confirmed that the nest was no longer

active; however, it led to the discovery of approximately fifteen (15) bats (*Myotis sp.*) and one (1) big brown bat (*Eptesicus fuscus*) roosting in a crevice under the existing bridge deck. CDFW required that a Bat Exclusion Plan be submitted and then implemented upon approval.

Subsequent to the discovery of the bats, but prior to the implementation of the Bat Exclusion Plan, a mandatory evacuation order for the Mendocino Complex Fire was issued, which continued the work stoppage through August 12, 2018. After the mandatory evacuation order for the Mendocino Complex Fire was lifted for the project area, the Bat Exclusion Plan was implemented and construction activities resumed.

CDFW Streambed Alteration Agreement requires that all in-channel activities be completed by October 15. Therefore, the construction schedule needs to be accelerated in order to make up for the lost time due to the shut-downs for nesting birds, roosting bats, and the fire evacuation.

Contract Change Order No. 1 addresses the costs associated with the Lead Compliance Plan, the Bat Exclusion Plan, and acceleration of the construction schedule. These items resulted in an increase of \$139,276.00 to the original contract amount of \$1,264,590.47 for a new contract amount of \$1,403,866.47. Caltrans has concurred that the costs are reasonable and eligible for reimbursement. The County has requested additional funding for the project to offset the increased costs.

This project is fully funded by the Federal Highway Administration (FHWA) thru Federal Highway Bridge Program (HBP) funds and California Toll Credit funds. Therefore, this project is 100% federally and state funded thru construction.

RECOMMENDATION

Staff recommends approval by the Board of Supervisors of CCO 1 and that the Board authorize the Chair to execute said CCO for an increase of \$139,276.00 and a revised contract amount of \$1,403,866.47.

FISCAL IMPACT: ☐ None ☐ Budgeted ☐ Non-Budgeted
Estimated Cost: 139,276.00
Amount Budgeted:
Additional Requested:
Annual Cost (if planned for future years):

FISCAL IMPACT (Narrative):

This project is fully funded by the Federal Highway Administration (FHWA) thru Federal Highway Bridge Program (HBP) funds and California Toll Credit funds. Therefore, this project is 100% federally and state funded thru construction.

STAFFING IMPACT (if applicable):

RECOMMENDED ACTION:

Staff recommends approval by the Board of Supervisors of CCO 1 and that the Board authorize the Chair to execute said CCO for an increase of \$139,276.00 and a revised contract amount of \$1,403,866.47.